

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



June 28, 2005

ALL-COUNTY INFORMATION NOTICE NO. I-36-05

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CAPI PROGRAM MANAGERS

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☒ Court Order or Settlement Agreement
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

SUBJECT: CASH ASSISTANCE PROGRAM FOR IMMIGRANTS (CAPI)
ELIGIBILITY

REFERENCE: ALL-COUNTY LETTER NO. 04-37

This All-County Information Notice (ACIN) is being issued in response to a settlement agreement in the *Eddin v Bolton* lawsuit. (Eddin v. Lawrence Bolton, Deputy Director, California Department of Social Services and California Department of Social Services, Superior Court, Sacramento County, Case No. 04CS01195.) This notice provides clarification regarding potential eligibility for Cash Assistance Program for Immigrants (CAPI) for Qualified Aliens who were not lawfully residing in the United States on August 22, 1996.

BACKGROUND

Qualified Aliens who were not lawfully residing in the United States on August 22, 1996 are ineligible for Supplemental Security Income/ State Supplementary Payment (SSI/SSP). These people are therefore potentially eligible for CAPI benefits (see Manual of Policy and Procedures section § 49-020.21). The plaintiff in the *Eddin* lawsuit was potentially eligible for CAPI benefits because she was not lawfully residing in the United States on August 22, 1996 even though she had originally entered the United States prior to August 22, 1996 and was under age 65.

POLICY

A Qualified Alien under age 65 who entered the United States prior to August 22, 1996 (as indicated generally by his or her Resident Alien card) is potentially eligible for CAPI if the Social Security Administration has denied the Qualified Alien's application for SSI/SSP benefits due to his or her immigration status because he or she was not lawfully residing in the United States on August 22, 1996.

Any questions regarding this ACIN should be directed to Marshall Browne, Analyst at (916) 229-4000.

Sincerely,

JOSEPH M. CARLIN
Acting Deputy Director
Disability and Adult Programs Division